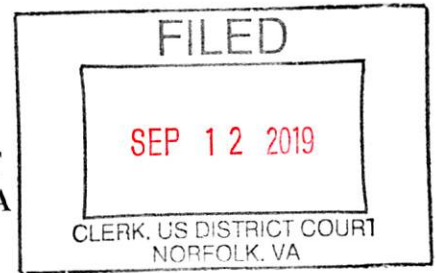


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



JODI A. CRAWFORD,

Plaintiff,

v.

CIVIL ACTION NO.: 2:18cv288

NANCY A. BERRYHILL,
Acting Commissioner,
Social Security Administration,

Defendant.

ORDER

On August 18, 2018, Plaintiff brought this *pro se* action under Section 205(g) of the Social Security Act, 42 U.S.C. Section 405(g), seeking judicial review of the final decision of the Defendant, Nancy A. Berryhill, the Acting Commissioner of the Social Security Administration ("the Commissioner"), which denied Plaintiff's 2014 claim for Disability Insurance Benefits ("DIB") pursuant to Title II.

On October 18, 2018, this matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. Section 636(b)(1)(B) and (C), Rule 72(b) of the Federal Rules of Civil Procedure and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a report and recommendation (R&R). On October 15, 2018, the Commissioner filed a motion to dismiss Plaintiff's complaint under Rule 12(b)6 of the Federal Rules of Civil Procedure for a lack of subject matter jurisdiction to review her decision to apply the doctrine of *res judicata* to bar Plaintiff's second application for disability benefits. Plaintiff did not respond to the motion to dismiss. On February 21, 2019, the Magistrate Judge filed his report


recommending that Defendant's Motion to Dismiss be **GRANTED**.

The Court does hereby **ACCEPT** the findings and recommendations set forth in the report of the United States Magistrate Judge filed February 21, 2019, and it is, therefore **ORDERED** that Commissioner's Motion to Dismiss is **GRANTED** and this case is **DISMISSED**.

The Clerk shall mail a copy of this final Order to counsel for the parties.

IT IS SO ORDERED.

Norfolk, Virginia
September 11, 2019



Raymond A. Jackson
United States District Judge